

O P T E
MAR 28 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Dean L. Engelhardt et al.

Serial No.: 08/486,066 Group Art Unit: 1631

Filed: June 7, 1995 Examiner: Ardin Marschel, Ph.D.

Title: **A SUGAR MOIETY LABELED NUCLEOTIDE
AND COMPOSITION COMPRISING SAME**

#45
PLUNKETT
4/5/00

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

**NOTICE OF APPEAL TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision dated September 28, 1999 of the Primary Examiner, finally rejecting claims 238, 240-243, 245-246, 249, 255-256, 262, 264-265, 267-271, 306, 308, 310-313, 315-316, 319, 325-326, 239-333, and 336-338. A Request For an Extension of Time (3 mos.) with the fee therefor is being concurrently filed with Applicants' March 28, 2000 Amendment Under 37 C.F.R. §1.116.

The items checked below are appropriate:

1. Appeal Fee of \$300.00

*Small Entity status was previously established in this application and is still applicable.

2. Fee enclosed.

3. Fee not required (e.g., Fee paid in prior appeal).

4. Charge Fee to Deposit Account No. 05-1135.

(A DUPLICATE COPY OF THIS SHEET IS ATTACHED.)

5. The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or to credit any overpayment to Deposit Account No. 05-1135.

03/30/2000 AI3RAHIM 00000024 051135 08486066

02 FC:119 300.00 CH

March 28, 2000

Date

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Respectfully submitted,

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EXPRESS MAIL CERTIFICATE	
Express Mail Label No <u>EL522278608US</u>	
Deposit Date	<u>MARCH 28, 2000</u>
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231	
RONALD C. FEDUS	<u>MAR 28 2000</u>
Ronald C. Fedus Reg. No. 32,567	